

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

ANTHONY DVONTE CURRY

Case: 2:21-mj-30562

Assigned To : Unassigned

Case No. Assign. Date : 11/30/2021 Description:
CMP USA v. SEALED MATTER (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 14, 2021 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(n)	Possession of a firearm by a person under felony indictment

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.



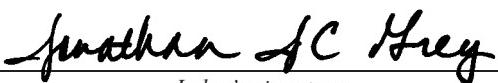
Complainant's signature

Special Agent Kenton Weston, ATF

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: November 30, 2021



Judge's signature

City and state: Detroit, Michigan

Hon. Jonathan J.C. Grey, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kenton Weston, being first duly sworn, hereby state:

I. INTRODUCTION

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2018. I am currently assigned to the Detroit Field Division, Crime Gun Enforcement Team (CGET). I am tasked with investigating violent firearm crimes and enforcing federal firearms laws. I have been involved in dozens of investigations involving violations of federal firearms laws, which have resulted in the seizure of hundreds of firearms. In addition, I have graduated from the Federal Law Enforcement Training Center and ATF Special Agent Basic Training.

2. This affidavit is made in support of an application for a criminal complaint for Anthony Dvonte CURRY (DOB xx/xx/2003). Probable cause exists that CURRY, knowing he had been under indictment for a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm that traveled in interstate commerce, in violation of 18 U.S.C. § 922(n).

3. I make this affidavit based on my participation in this investigation, witness interviews conducted by myself and other law enforcement agents, reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and

information gained through my training and experience.

4. The information in this affidavit is for the limited purpose of establishing probable cause and does not include all the information known to law enforcement about this investigation.

II. PROBABLE CAUSE

5. On November 14, 2021, at approximately 11:18 a.m., the Oakland County Sheriff's Office conducted surveillance in the area of Leonard Lane, Pontiac, Eastern District of Michigan. Deputies observed CURRY, the sole occupant, drive a black Chrysler Sebring with no license plate. Moments later, OCSO observed CURRY disregard a stop sign. Deputies effectuated a traffic stop. During the traffic stop, CURRY informed OCSO about a firearm in the car.

6. A loaded Smith & Wesson M&P 40 M2.0 .40 caliber pistol, bearing serial number NJY1669, was recovered from the driver side floorboard. CURRY was arrested for felony carrying a concealed weapon in a motor vehicle.

7. The next day, on November 15, 2021, Special Agent Brandon and I conducted a recorded post-Miranda interview with CURRY at the Oakland County Jail. CURRY made the following statements (in summary):

a. He was sentenced to probation in December 2020 under the Holmes Youthful Trainee Act (HYTA) stemming from his felony carrying a concealed weapon arrest;

b. He was currently charged with a felony and could get the “felony off” if he successfully completed the probation period. If he does not complete the probation, he will still have the felony charge;

c. He received the recovered firearm, for free, the previous day from an unidentified individual;

d. He acquired the firearm for protection and had stored the firearm underneath the passenger side seat. [Note: I reviewed photos from the traffic stop and the firearm appeared to be on the driver’s side floorboard]; and

e. After Special Agent Brandon showed CURRY an image of the recovered firearm, CURRY confirmed that the pistol depicted in the image was from the vehicle and was the firearm he received the day before.

8. I reviewed the ATF trace information of the recovered firearm. The Smith & Wesson M&P 40 M2.0 was placed into circulation on or about March 30, 2021.

9. I reviewed CURRY’s criminal history. On December 1, 2020, CURRY was sentenced under HYTA in the Sixth Judicial Circuit, Oakland County, for carrying a concealed weapon after he pleaded guilty.

10. Based upon prior investigations involving the possession of firearms by individuals sentenced under HYTA, I know that an individual on HYTA qualifies as “any person who is under indictment” for the purposes of 18 U.S.C. §

922(n). CURRY was on HYTA probation on November 13, 2021, when he received the recovered firearm.

11. On November 16, 2021, I contacted Special Agent Jimmie Pharr, an ATF Interstate Nexus Expert. I gave Agent Pharr a verbal description of the firearms recovered from the vehicle. Based upon the verbal description, Special Agent Pharr advised that the firearm qualified as a firearm, as defined under 18 U.S.C. § 921, and was manufactured outside of the state of Michigan after 1898. Therefore, the weapon traveled in and affected interstate commerce.

III. CONCLUSION

12. Probable cause exists that, on or about November 13, 2021, Anthony CURRY, knowing he had been under indictment for a crime punishable by imprisonment for a term exceeding one year, knowingly received a firearm that traveled in interstate and/or foreign commerce, in violation of 18 U.S.C. § 922(n).

Respectfully submitted,



Kenton Weston, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Subscribed to and sworn before me or by reliable electronic means on this 30th day of November 2021.



HON. JONATHAN J.C. GREY
UNITED STATES MAGISTRATE JUDGE